



## FAIR POLITICAL PRACTICES COMMISSION

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April 28, 2010

William Madsen

REDACTED

### **Advisory Letter Re: FPPC No. 06/255, In the Matter of William Madsen**

Dear Mr. Madsen:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),<sup>1</sup> found in Government Code section 81000, et seq. This letter is in response to a complaint filed against you that alleged that you failed to disclose receipt of non-monetary contributions supporting your candidacy for the Fairfax Town Council in the November 8, 2005 election.

The FPPC has completed its investigation of the facts in this case. After investigation, we have determined that there is insufficient evidence to find that you violated the Act. As a result, we are closing this case with this Advisory Letter.

Specifically, the FPPC found that in October 2005, Marin Professional Firefighters Political Action Committee made non-monetary contributions in the form of window signs and door hangers supporting your candidacy for the Fairfax Town Council in the November 8, 2005 election. These nonmonetary contributions, made to you, had a total value of \$694.

The Act requires that recipient committees disclose all monetary and non-monetary contributions. (Sections 82013, subd. (a), 84200, and 84200.5.) Specifically the Act provides that a contribution is a payment made for political purposes, and a contribution can be monetary or nonmonetary. (Section 82015, subd. (d).) Additionally, each campaign statement required to be filed under the Act must include the total amount of contributions received during the period

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<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

covered by the campaign statement from persons who have given a cumulative amount of one hundred dollars (\$100) or more, and include certain contributor information. (Section 84211, subd. (c) and (f).)

On October 27, 2005, you filed a campaign statement short form, stating that you anticipated spending less than \$1,000 on your campaign. The total value of the non-monetary contributions you received from Marin Professional Firefighters Political Action Committee was \$694. Thus, if you spent \$306 in addition to the \$694 in non-monetary contributions, you would have qualified as a committee under the Act and been required to file a statement of organization and campaign statements disclosing all contributions and expenditures, including these non-monetary contributions.

The Commission publishes forms and manuals to facilitate compliance with the provisions of the Act and provides guidance regarding filing obligations over the telephone and through written advice. Please call the Commission's Technical Assistance Division at 1-866-275-3772 or visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

REDACTED

Angela J. Brereton  
Senior Commission Counsel  
Enforcement Division